

IS ROAD SYSTEM A "ROTTEN" ONE?

Sanitation Commission Is
Discovering New
Facts.

HIGHWAYS TOO HIGH

Manoa Stream May Be
Fated to Become
a Sewer.

(From Thursday's Advertiser.)

If the sanitation committee was called upon to present a report at the end of its three days of inspection in the Waikiki end of the city, would it feel compelled to announce that the entire municipal and territorial system of engineering construction, roads and so forth, was a mistake, full of bungling errors and construction detrimental instead of beneficial to the community?

This question is the most prominent before the members of the sanitation committee themselves and it was with eyes opened to the enormous responsibilities of their position, which they did not at first realize, that they completed yesterday's tour of inspection through Kaimuki, lower Palolo and around College Hills, Manoa.

As they do not have to make a report at this time, they reserve decision on this startling question in the hope that future inspection may develop some excuse for the present theory of municipal construction or for some little incident that will make the completed work appear a little better than it looks at present.

Pertinent Questions.
Are the roads, pride of our city fathers, merely monuments to utter inadequacy on the part of the city engineering department and the supervisors to construct wisely, as they are supposed to do?

Are the exigencies of sewerage and drainage going to compel Honolulu to turn her mountain streams with their picturesque and park possibilities into filthy sewers?

Is the condition of the city so bad that the mere fact that it will have to be drained continually at points along its shoreline precludes bathing at Waikiki with any degree of safety?

These three questions arose in two short hours, yesterday afternoon. If residents complain that the commission is handing out a pretty poor advertisement for the capital of the Paradise of the Pacific it might be explained that instead of hunting with any degree of maliciousness for trouble, the commission did not go into the details of one one-hundredth of the land it covered yesterday.

Roads Out of Plumb.
The principal problem which materialized yesterday is whether or not the road system the city road department has adopted, or rather the lack of system, is a complete mistake. Every where the commission has gone it has found that the roads are universally built too high without any attempt to establish grades or any other consideration of engineering ethics.

This fact the commission did not ascertain by merely traveling over the roads any more than it becomes apparent to any one else who travels over them, admiring the scenery round about. It was by penetrating through this scenery, by dismounting and getting down to brass tacks and conditions as they look from the bottom up, that the commission has been compelled to arrive at the tentative conclusion it now holds.

Chairman Carter takes as an illustration King street, even Waikiki of Fort, in the fifteen-mile speed limit. Here it is just high enough to prevent the drainage of the property mauka of it. It is too high to run storm sewers along it and draw off this water to a point where it could be sent into the sea, for the water wouldn't run into it, but would continue, as it does now, to make every lot a fair imitation of a pond at rain time. The public only knows how little criticism King street will stand anywhere else.

Like a Dike.
Kalakaua avenue is nothing any more or less than a causeway in swamp lands. By building it as it has, the city, in its consummate wisdom, has made the imperative draining of some five or six hundred acres mauka of it an engineering difficulty.

Beretania avenue, from Moiliili to the Sacred Heart Academy, stoppers up a sunken strip of land mauka of it back to the hills, a land eighty per cent under water eleven months in the year. It is for land like this that the sanitary commission is to devise a scheme for the eradication of mosquitoes.

Postponing decision yesterday on the road question as it has materialized thus far, the commission has contented itself with jotting down this question in its notebook for consideration at future conference: "Are we to build our roads four or five feet above the scenery, as we do now, and make causeways of them, or are we to make them level with our property and a means of safe travel, good drainage and constructed out of engineering good sense, instead of political necessity?" This last item the commission does not intend to bother with. Effect and not cause is the object of its being.

Preliminary Survey.
Yesterday's tour of inspection completed the preliminary survey of the drainage problem of the Waikiki end of the city. This problem has resolved itself, with the exception of local difficulties, into a question of whether these swamps are formed by mountain

streams, volcanic waters or rainfall. Large stretches of land inundated from each cause have been seen, but it remains for a more detailed analysis to determine which is the preponderating cause.

If rainfall proves to be a large factor, the question of draining of the land through the natural waterways now existing will be complicated by the fact that every fresh rain will add to water in spots which these waterways do not drain.

In Kaimuki, and particularly in the Sing Lay rice plantation, nearer Moiliili, through the natural waterways of land could be dried up by merely diverting the great flow of artesian waters which the Chinese now divert there. In Palolo Valley a spot where pandanus grass is grown by the Club Stables, and which has given endless trouble to the mosquito fighters, could be dried up (as it is today) by forbidding the growing of this fodder.

Percentage of Swamps.
Aside from the, at present, doubtful contribution of the rainfall to the swamp lands, the task of draining all this land is merely a large one, not necessarily a difficult one, even though, as Doctor Currie remarked yesterday, "I had no idea that such a large percentage of what is called Honolulu is swamp before I started in to make these trips."

But this question has led the commission slap-bang into one more serious. The inspection wound up yesterday at the Mills Institute. Standing in a grove of hawea trees at the foot of this great educational institution, the commission surveyed one of the foulest spots in Honolulu.

Constructed in a thriving, growing part of the newer Honolulu where sewer connections are NOT to be had for love or gold, the institute was compelled to dig an immense cesspool. It was first considered to be sufficiently large, but unfortunately it proved to have been dug to hard pan and in a very short time it was completely full.

In almost as short time, the overflow had made a swamp of all the property immediately below, no inconsiderable amount. The commission had some difficulty in finding it yesterday. Chairman Carter suddenly announcing its location by a loud shout of "Here it is: I'm in it." And he was.

Fierce Problem.

After detaching himself to dry land followed by a cloud of mosquitoes he had stirred up, the party sized up the situation. Chief Sanitary Officer Clifford Charles, who was the pilot yesterday in the place of President Mott-Smith, pointed out that this entire overflow, after making a foul swamp of an acre, drained into the Manoa stream which is already contaminated with other sewerage and eventually flows out past the Moana Hotel where residents were kicking because they were not permitted to bathe.

Charles explained that the board of health had already given the institute orders to clear out all this submerged land and permit the board to construct laterals to carry the cesspool overflow directly into the Manoa stream. So far it is the only thing to do, revolting as it is. The overflow reaches the stream at present, anyway, and the mosquito breeding swamp could at least be wiped out by the board's plan.

When the sewer finally creeps around to this point the necessity will disappear, but this seems to be a long way off.

May Make It a Sewer.
After a half hour in looking this land over, the members of the commission were compelled to sadly shake their heads and declare that they saw no other way out of it. Returning to town they discussed the advisability of turning the entire Manoa stream into a sewer, covering parts of it, banking it and by other means make it such to all intents.

"And I for one," concluded Chairman Carter, at the end of the day, "don't want to bathe at Waikiki and what's more, I'm not going to."

The next tour of the commission will be made Saturday.

SNYDER SEEKS QUICK TRIAL ON CHARGES

Asking a speedy trial for his client, Attorney Frank S. Thompson yesterday appeared in the federal court on behalf of Christopher Snyder, the Montana mining man, who was arraigned before Judge Clemons on an indictment charging him with importing and concealing opium.

There is a pretty heavy calendar at the federal court, and Mr. Thompson urged that his client's case be taken up quickly. He declared that Snyder is a mining man of large interests and would suffer severely by enforced detention here.

District Attorney Breckons, who represented the government, failed to see why the Snyder case should not take its regular course on the calendar.

Judge Clemons stated that the trial could proceed at the conclusion of the Korean conspiracy case, which began yesterday, and in which Hun Kwon Chis, Kim Pyeng Kun and Yoon Chong Kun are defendants. This means that the Snyder trial will probably start not sooner than next Monday. The Montana man, who pleaded not guilty, said that all he wanted was a speedy trial. He declared that he was not afraid of the result, for no jury would convict an innocent man. He only wanted a quick hearing so that he could get back to his business.

FIRST AID.
George A. Bertram, indicted under the white slave act, was arraigned and his plea continued for a week. M. P. Prosser appeared for him.

ZEALANDIA IN LATE.
The latest wireless messages from the Zealandia to the local agents, Davies & Co., announce that the vessel will arrive here from Vancouver at about two o'clock this afternoon. She is making a rather slow trip, for she was expected here in the forenoon. Several quarantine doctors will go out, in order that the vessel may be passed quarantine without delay, as the Sheffield choir of two hundred people is billed to give a concert at the opera-house at three-thirty. The liner will go out at midnight, destined for Suva and Sydney.

WYOMING LAUNCHED.
PHILADELPHIA, May 25.—The battleship Wyoming was successfully launched today.

BUILDING ORDINANCE STUMPS SUPERVISORS

STRUGGLE IN VAIN TRYING TO
STRAIGHTEN TANGLE IN
PROPOSED LAW.

Tunneling a mountain appears to be an easy task compared to the labored discussion of the new building ordinance which the county supervisors undertook last evening, and almost from the start they plunged into a maze of figures which almost staggered them. Although they hoped to be able to present the bill on Friday in some tangible shape, the proposed ordinance will be a mass of tatters and will have to be again discussed at a special meeting to be called by the chairman of the committee which has the ordinance in hand.

It was evident last night that the proposed ordinance is heavy, unwieldy and uncertain, even to the mere fixing of fees for permits. Whether to charge \$5 a thousand dollars for proposed buildings, and \$50 for a \$2,000,000 Alexander Young building, was a question over which the supervisors pondered long, while Supervisor Murray worked away with a pencil and paper trying to figure it out so that the county would get revenue without hitting too hard a man who wanted to put up a building worth only a thousand dollars. One of the paragraphs proposed for fixing fees was involved in its construction and it looked as though a Philadelphia lawyer might be necessary to straighten it all out.

The paragraph was left over for discussion, while others were tackled, leaving Mr. Murray still wielding the pencil. They do not to charge anything that might be regarded as excessive.

Extra Expense.
There is another matter which will involve a little expenditure "on the prospective" builder. The new ordinance says he must file plans and specifications for work over \$1000. To do so an ordinary householder would have to consult an architect and that person would charge him a fee for working them out in proper form.

Building and Plumbing Inspector Michels felt that it was imposing a hardship to require plans and specifications for a thousand-dollar building, and thought that a man might turn in his general plans and some details without asking an architect to do it for him, thus saving an expense.

The supervisors thought this reasoning was sound. Mr. Michels stated that at present plans are turned in on butter paper, drug store paper, any old kind of paper, but under the new ordinance these would all be turned in on proper blanks.

Question of Damages.
Another paragraph was considered of considerable importance to the city and county. This sets forth that the approval of plans by the board does not bind the city and county for damages arising out of the use of sidewalks and subways by builders, but does not absolve those who are in charge of the building operations. Any case of damages will lie against the persons building, rather than against the county.

There was another paragraph which was found objectionable, and this was that if the inspector found the value of a building underestimated, he had the power to refuse the permit. It was felt that too many difficulties might arise from any differences of opinion as to estimates, and the paragraph was stricken out.

The ordinance provides, in one section, for a board of arbitration, consisting of the superintendent of public works, the county engineer and a third person to be selected. If the board of supervisors does not settle the difficulty the board of arbitration will take it in hand.

Of chief interest is the fact that the new building ordinance takes in, not only the city of Honolulu, but the entire county as well.

BROTHER OF MRS. J. C. AXTELL DEAD

A cable was received yesterday from California announcing the death of William Deacon, brother of Mrs. J. C. Axtell. Deceased was the last of three brothers, two of whom lived in these islands for many years and engaged in the cultivation of sugar. Henry was for years a resident of South Hilo district and managed Pepeeoke plantation. George was for a long time at Papakou and when W. W. Goodale left there to take the management of Waiaina, George came with him and remained connected with that plantation until his death a few years ago. William, the last of the brothers, was a forty-niner in California and came around the Horn. He established the Main Street Iron Works in San Francisco and continued it until his retirement some years ago, selling to his son who incorporated the business.

The last years of his life William Deacon spent on a fruit ranch at Wright's Station and it was there he died.

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NO FIXED SCALE FOR TYING UP COUPLES

UNDERTAKER WHO ALSO ACTS
AT WEDDINGS TELLS COURT
ABOUT HIS FEES.

"What is the general charge for a marriage?"

This question, put to Undertaker Silva, who also assists in tying matrimonial knots, interested the jurors in the federal court yesterday when the Korean conspiracy case was started. A. L. C. Atkinson, who appeared for Kim Pyeng Kun, one of the defendants, propounded the interesting query.

"There is no general charge," airily replied Undertaker Silva. "They give whatever they think best. If they give me \$25, all right; but I take \$5, and sometimes even \$3."

He told the attorney that he did not remember how much he was paid at the time of the alleged marriage between one of the defendants and a Korean woman who already had a spouse.

"Did you divvy up with John Baker?" Atkinson asked.

"Sure," was the reply; "not only in this case, but in a good many others he turned over to me. There is no fixed rate."

"You get the biggest share?" asked the attorney.

"Does the Biggest Work."

"Most decidedly; but I do the biggest work," replied Silva.

"Perhaps Mr. Atkinson is going to take out a marriage license," remarked Assistant District Attorney W. T. Rawlins, preparatory to drawing the court's attention to the fact that he considered the evidence irrelevant and immaterial. "Is that what you want the information for?" he asked Mr. Atkinson.

Judge Clemons, passing on the point raised as to irrelevancy, said he thought the questioning along the line taken by Mr. Atkinson should be confined.

Silva said that one of the three defendants paid his fee, but he did not know which.

Cross-examined by Leon M. Straus, who appeared for two of the defendants, Silva said he could not positively identify any of the defendants as being present on the occasion of the marriage.

John Baker, the man who issued the marriage license, examined by Mr. Rawlins, said two of the men now on trial were with the bride and groom when they got the license, and he took them over to Silva to perform the ceremony.

Subsequently two of the defendants went back to him and wanted to know what he would charge for another marriage certificate, because the other one had been destroyed in a fire. He charged them \$17 for a copy. Later they wished to know what the price of a divorce would be. He sent for an attorney, and the lawyer told them it would cost \$175. They hadn't the money, and said they would see him later.

Yoon Was the Talker.
Cross-examined by Mr. Straus, he said that apparently the only person who did any talking was the defendant, C. K. Yoon, and that the latter at all times acted as a Korean interpreter between Baker and the other Koreans.

Judge Clemons ruled in the morning that though it was true that there were three defendants charged with conspiracy under the same indictment, still, as the defendants represented by Mr. Straus and the defendant represented by Mr. Atkinson have defenses that might be antagonistic each to the other, either or both counsel would be permitted to cross-examine any witness on the stand in the same manner as though his cross-examination were an independent one.

The three defendants are Hun Kwon Chin, Yoon Chong Kun and Kim Pyeng Kun, and the charge against them is one of conspiracy in having the crime of bigamy committed within the district. While the jury was being secured to try the case the proceedings were enlivened by one or two "spats" between counsel. Mr. Rawlins took exception to a remark made by Mr. Straus to Mr. Atkinson, that the assistant district attorney was foxy in regard to the number of challenges made by the defense.

On this matter there was a little misunderstanding. Mr. Rawlins thinking that the defense had used up one more challenge than they said they had. This called forth the observation made by Mr. Straus.

Just Shrewd.
"I don't want anybody to accuse me of being foxy," Mr. Rawlins said, with some heat.

"Well, I will say shrewd," said Mr. Straus.

Mr. Rawlins started to object, but Judge Clemons said he had heard nothing to reflect upon anybody in any way.

"It was not intended to reflect on anyone," far from it," declared Mr. Straus.

Mr. Rawlins continued to speak on the subject, but Judge Clemons put an end to the discussion by saying: "They have withdrawn their statement in regard to you, so there is no reason for pursuing the matter."

Mr. Atkinson, in questioning W. Lucas, one of the special venire of twenty-five, said: "You read the papers; did you read about Mr. Rawlins holding a woman's hand while Kim Pyeng Kun was on trial last week?"

The juror said he had read something about it, but it didn't make any impression on him.

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